

Docket No. UCIVN-003C

REMARKS/ARGUMENTS

The following remarks are responsive to the Office Action dated January 28, 2005.

Notably, the Office Action indicated that claims 1-98 are pending. However, claims 1-34 were cancelled in the transmittal paper that accompanied filing of this continuation application and filing fees for claims 35-98 were paid. It is uncertain whether the Office deducted further filing fees for claims 1-34 from counsel's deposit account. Clarification as to whether claims 1-34 are presently pending is requested.

In the Office Action, claims 35-98 were rejected on grounds of obviousness-type double patenting over United States Patent No. 6,692,759 (Wong et al.). A terminal disclaimer is enclosed herewith. Thus, this obviousness type double patenting rejection is believed to have been overcome.

Also, in the Office Action, claims 1,2,4,5,7-10, 13-15, 26, 30, 34, 35, 36, 38, 39, 41-44, 45, 48, 49 and 62 were rejected under 35 U.S.C. 103 as being obvious over Donovan. The Examiner contends that, in Donovan, "[a]ddition of a liquid is implied through the disclosure of using a hydrogen at col. 2, lines 52-54." Applicant disagrees with this. Noting in Donovan discloses the addition of liquid. Furthermore, the mere fact that a hydrogel is used does not imply that the hydrogel is hydrated. Desicated or dry hydrogels are still hydrogels. Accordingly, Donovan does not reasonable teach or render obvious the claimed invention. Reconsideration and withdrawal of the rejection over Donovan is respectfully requested.

All claims are believed to be in condition for allowance. Issuance of a notice of allowance is earnestly solicited.

A three (3) month extension of time is requested pursuant to 37 C.F.R. 1.136. The

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Office is authorized to deduct the small entity fee for such extension of time as well as the small entity fee for filing of the accompanying Terminal Disclaimer from Deposit Account No. 50-0878.

Respectfully submitted,
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